

AMENDMENTS TO THE CLAIMS

1. (Currently amended) A device for isolating deleterious body tissue located within healthy body tissue from the healthy body tissue by limiting blood and fluid communication with the deleterious body tissue, the device comprising:

a first structure, including a first circumferential surface arranged to circumscribe the deleterious body tissue; and

a second structure, including a second circumferential surface corresponding to the first circumferential surface, and when the first and second circumferential surfaces are brought together in an aligned relationship with the deleterious body tissue between the first and second structures, the first and second circumferential surfaces co-act to isolate the deleterious body tissue from communication with the healthy body tissue;

wherein the device is configured to maintain the first and second structures together in an aligned relationship.

2. (Original) The device of claim 1, further comprising a bias element coupled to the first structure and the second structure that brings the circumferential surfaces of the first and second structures together in an aligned relationship.

3. (Original) The device of claim 2, wherein the bias element brings the first and second circumferential surfaces together with sufficient force that the deleterious body tissue becomes ischemic and necrotic.

4. (Currently amended) The device of claim 2, wherein the first and second structures each further comprise a first and second aperture respectively so that when the circumferential surfaces are brought together in an aligned relationship, the first aperture and second aperture expose the deleterious body tissue ~~for excision~~.

5. (Currently amended) The device of claim 1, wherein the circumferential surface of at least one of the first and second structures is configured to ~~includes a cutting edge that~~ resects separate the deleterious body tissue from the healthy tissue when the first and second circumferential surfaces are brought together in an aligned relationship.

6. (Original) The device of claim 5, further comprising a bias element coupled to the first structure and the second structure that brings the circumferential surfaces of the first and second structures together in an aligned relationship with sufficient force such that the deleterious body tissue enclosed therein is resected.

Appl. No. : **10/061,755**
Filed : **February 1, 2002**

7. (Currently amended) The device of claim 5, wherein one of the first and second structures includes a cutting surface arranged to engage at least a portion of ~~the~~ a cutting edge on the other one of the first and second structures when the first and second circumferential surfaces are brought together in an aligned relationship and to resect the deleterious body tissue.

8. (Original) The device of claim 2, wherein, when the first and second circumferential surfaces are together in an aligned relationship, the first structure and the second structure define a chamber arranged to contain the deleterious body tissue.

9. (Original) The device of claim 1, wherein the first structure further includes a first interlocking surface, and the second structure further includes a second interlocking surface, the interlocking surfaces being arranged to interlock with the deleterious body tissue between such that, upon bringing the first and second circumferential surfaces together to a point of interlocking, the circumferential surfaces of the first and second structures will compress tissue surrounding a perimeter of the deleterious body tissue enclosed therein with sufficient force such that the deleterious body tissue will be isolated from communication with the healthy body tissue, and become ischemic and necrotic.

10. (Original) The device of claim 9, wherein the interlocking surfaces are urged together by an external force.

11. (Original) The device of claim 9, wherein, when the interlocking surfaces are interlocked, the first structure and the second structure define a chamber arranged to contain at least the pulmonary nodule.

12. (Original) The device of claim 9, further including a bias element coupled to the first structure and the second structure that brings the first structure and second structure together in the aligned relationship.

13. (Currently amended) A device for isolating deleterious body tissue located within healthy body tissue from the healthy body tissue by limiting blood and fluid communication with the deleterious body tissue, the device comprising:

a first structure, including a first partial circumferential surface; and

a second structure, including a second partial circumferential surface corresponding to the first partial circumferential surface, the first and second partial circumferential surfaces being arranged to encircle the deleterious body tissue when the first structure and the second structure are brought toward each other in a shearing

manner, the first and second partial circumferential surfaces co-act to isolate the deleterious body tissue from the healthy body tissue.

14. (Original) The device of claim 13, further comprising a bias element coupled to the first structure and the second structure that brings the circumferential surfaces of the first and second structures toward each other with sufficient force such that deleterious body tissue enclosed therein becomes ischemic and necrotic.

15. (Currently amended) A method of isolating deleterious body tissue located within healthy body tissue from the healthy body tissue by limiting blood and fluid communication with the deleterious body tissue, the method comprising the steps of:

providing a device comprising:

a first structure, including a first circumferential surface arranged to circumscribe the deleterious body tissue; and

a second structure, including a second circumferential surface corresponding to the first circumferential surface;

placing the deleterious body tissue to be isolated between the first circumferential surface and the second circumferential surface of the device; and

bringing the first and second circumferential surfaces of the device together in an aligned relationship with the deleterious body tissue between the first and second structures, wherein the first and second circumferential surfaces co-act to isolate the deleterious body tissue from communication with the healthy body tissue without severing the deleterious body tissue from the healthy body tissue.

16. (Original) The method of claim 15, further including the step of bringing the first circumferential surface and the second circumferential surface together against the healthy body tissue immediately surrounding the deleterious body tissue with sufficient force that the deleterious body tissue becomes ischemic and necrotic.

17. (Original) The method of claim 16, wherein the device further comprises a bias element coupled to the first structure and the second structure that brings the circumferential surfaces of the first and second structures together.

18. (Original) The method of claim 15, wherein the first and second structures of the device further respectively comprise a first and second aperture arranged so that when the circumferential surfaces are brought together in the aligned relationship, the first aperture and

second aperture expose the deleterious body tissue for resection, and wherein the method includes the further step of resecting the deleterious body tissue.

19. (Currently amended) A device for isolating deleterious body tissue located within healthy body tissue from the healthy body tissue by limiting blood and fluid communication with the deleterious body tissue, the device comprising:

confining means having at least two circumferential surfaces, the circumferential surfaces being arranged in combination to circumscribe the deleterious body tissue and to be brought together in an aligned, co-acting relationship to isolate the deleterious body tissue; and

means ~~arranged~~ for maintaining the circumferential surfaces together with sufficient force that deleterious body tissue confined therein will be isolated from communication with healthy body tissue.

20. (New) The method of claim 15, further comprising the step of resecting the deleterious body tissue.

21. (New) The method of claim 20, wherein the step of resecting the deleterious body tissue is performed by the first and second structures.

22. (New) A tissue isolation device, comprising:

a first engaging portion having a first contact surface;

a second engaging portion having a second contact surface; and

a biasing element connected to the first and second engaging portions, the biasing element configured to bias the first and second engaging portions toward one another.

23. (New) The device of claim 22, further comprising a cutting edge on at least one of the first and second contact surfaces.

24. (New) The device of claim 22, wherein the first and second engaging portions are configured to cooperate to form a closed cavity when brought together.

25. (New) The device of claim 22, wherein the first and second engaging portions are each configured with an aperture to allow access to a body tissue held between the first and second contact surfaces.

26. (New) The device of claim 22, wherein the first and second engaging portions are configured to physically separate a body tissue located therebetween from surrounding body tissue.

Appl. No. : **10/061,755**
Filed : **February 1, 2002**

27. (New) The device of claim 26, wherein the biasing element is configured to cause the first and second contact surfaces to impart a force sufficient to inhibit air and fluid leaks from body tissue located between the first and second contact surfaces.